Province of
British Columbia

Provincial Agricultural Land Commission

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Ministry of
Agriculture
and Fisheries

Honourable John L. Savage, Minister

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British Columbia

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ANNUAL REPORT
for the year ended 31 MARCH 1989

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Province of
British Columbia

Ministry of
Agriculture
and Fisheries

Victoria
British Columbia
V8W 2Z7

12 April 1990

The Honourable David C. Lam
Lieutenant-Governor in Council
Province of British Columbia

May It Please Your Honour:

I have the pleasure of submitting for your consideration the Annual Report and Financial Statement of the Provincial Agricultural Land Commission for the 12 month period April 1988 to 31 March 1989.

Yours truly,

John L. Savage

John L. Savage
Minister of Agriculture and Fisheries

British Columbia
Agricultural
Land Commission

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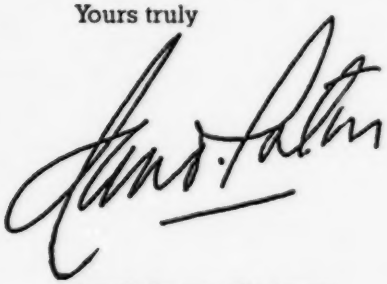
9 April 1990

The Honourable John L. Savage
Minister of Agriculture & Fisheries
Parliament Buildings
Victoria, B.C.
V8V 1X4

Dear Mr. Savage:

Pursuant to Section 28 of the Agricultural Land Commission Act, I respectfully submit the Annual Report and Financial Statement of the Provincial Agricultural Land Commission for the year ended 31 March 1989.

Yours truly



Ian D. Paton, Chairman
Agricultural Land Commission

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General Manager's Report

The 1988/89 fiscal year was a period of continued growth for British Columbia. Over 40,000 people migrated to the Province during the year.

Population growth tends to produce pressure for resource development—especially of the land base. It is in this setting that the Agricultural Land Commission's administration of the provincial agricultural land preservation program was undertaken for the 1988/89 year.

The Commission's major activities centred upon the review of applications made under the Agricultural Land Commission Act and the review of community plans, zoning bylaws, and other planning documents prepared by local government. The consideration of individual applications represents a process of program resolution on a site specific basis utilizing a short term time frame. However, the Commission's participation in the local government plan preparation process ensures the integration of the ALR program into the longer time frame of a local or regional plan. Both processes demonstrate the Commission's desire to solve immediate specific land use issues and to foster long term program objectives.

Last year, the Premier announced the establishment of eight Development Regions and outlined a series of tasks to be pursued by those Regions. One of the tasks assigned to these groups was a review of the administration of the Agricultural Land Commission Act within the regions. The Commission welcomes this review, as program review and monitoring are an essential component of any resource management exercise. The Commission anticipates receiving the results from all of these studies in the near future.

I am very proud of the results achieved by the Commission staff. There are over 4.6 million hectares of land in the Agricultural Land Reserve and 126 different local government entities have ALR lands within their jurisdiction. Staff members are constantly interacting with local government representatives and land owners through the administration of their duties. Commission staff members deserve much credit for their hard work and dedication.

We look forward enthusiastically to 1989/90!

R. P. Murdoch, General Manager

Purpose and Accountability

The Provincial Agricultural Land Commission was established as an independent agency of the Province of British Columbia in 1973 to identify and protect the Province's limited agricultural land base. It is the Commission's objective to preserve agricultural land for present and future farm use.

The Commission, as established under the Agricultural Land Commission Act, consists of no less than 5 members and reports to Cabinet through the Minister of Agriculture and Fisheries.

The Commission's statutory objectives have been incorporated in the following mission statement:

To preserve for British Columbia the land resource useful to its agricultural industry

To assist with the development of agricultural land use planning; and to encourage farming through proper land use management

To provide associated advisory services to British Columbia's government, the public, and the farming community

The Commission has a support staff of 18 employees to oversee the day-to-day administration of the Agricultural Land Commission Act and the Soil Conservation Act. Every year several thousand site specific requests for change of use of ALR lands either in the form of applications from individual property owners through local government or Official Community Plan amendments are received by the Commission. This relatively small staff works closely with local government representatives, other government agencies, and members of the public to research and prepare these requests which are all reviewed by the Commission.

Operating Policy

The general policy framework within which the Commissioners and their staff carry out the intent of the Act and conduct Commission business includes:

- ensuring the long term maintenance of the ALR. The Commission in its work, must view day-to-day requests in the form of applications against the longer term ability of the land base to support agriculture.
- refining the ALR boundary to reflect improved information on soil, climate, crop potential, terrain, and present land use, and other factors which define the agricultural landscape.
- improving communication linkages and working relationships with local governments.
- ensuring that local government community plans and implementing bylaws reflect a proper balance between short term community growth requirements and longer term Provincial agricultural needs.
- sustaining the quality of agricultural soils through a timely response to applications and potential infractions under the terms of the Soil Conservation Act.
- ensuring that Commission approvals for subdivision requests within the ALR do not compromise the agricultural potential of the land.
- avoiding precedent setting decisions with potential negative consequences to future agricultural land management.
- identifying and exploring all options during the review of applications, which may provide solutions for applicants, while maintaining or improving the agricultural potential of the land base.
- directing non-farm land uses to areas outside the Agricultural Land Reserve wherever possible.

Program Overview

The Commission's administration of the Agricultural Land Commission Act focuses on three main areas of activity—review of applications, review of planning projects, and the administration of the Soil Conservation Act.

Application Review

Aside from several specific and limited exceptions established under the Regulations, the *Agricultural Land Commission Act* precludes the use of ALR designated lands for purposes other than farm use. Subdivision or non-farm use of ALR land must first receive Commission approval before proceeding.

The daily work of the Commission is dominated by its response to applications initiated by individuals, local governments, or by the Commission itself. These applications may seek to exclude land from the ALR, to subdivide or to pursue a non-farm use within the ALR, or to include additional lands into the ALR. Examples have included requests for everything from minor boundary adjustments within the ALR to hundred million dollar pulp mills. Commission staff research each individual application, often supplementing it with additional material such as airphotographs, agricultural capability mapping, as well as information from other government agencies. The Commission, in recognition of its small staff complement, relies heavily on local government staff input as well as technical support from the Ministry of Agriculture and Fisheries.

During the 1988/89 fiscal year the Commission reviewed over 1,000 applications in total. No application is ever considered routine; often a single application will require a lengthy debate before the Commission makes its final decision. There are many situations where the Commission will require additional site specific information from either the local government, other government agencies, or from its Farm Advisors who are appointed through the B.C. Federation of Agriculture. Wherever possible, the Commissioners will personally view the subject properties.

Commission Review of Planning Projects

Of the 174 cities, districts, towns, villages and regional districts in British Columbia, 126, or 73% of the total, contain Agricultural Land Reserve lands within their boundaries. Therefore, the ALR is often an important issue of consideration by local government during the preparation of Official Community Plans or Zoning Bylaws which define future land use patterns. The Commission has an active role in the review of local government plans and bylaws to ensure that the intent of the *Agricultural Land Commission Act* is supported during the planning process. Since its inception, the Commission has reviewed and forwarded comments on some six hundred Official Plans, Zoning and Subdivision Control Bylaws, Transportation Network Plans, and Crown Land Plans.

The land-use planning exercise provides the Commission with an opportunity to become acquainted with local community based land use issues. At the same time, the planning process provides an avenue through which a local government and staff can become more aware of the importance of agricultural land preservation and incorporate these provincial objectives into its plans and bylaws. During the plan preparation process a review of the Agricultural Land Reserve within a given jurisdiction often forms part of the planning exercise. Adjustments to the ALR resulting from this review often eliminate the need for many individual applications since the adjustments, if handled through a single block application, may actually involve hundreds of individual parcels.

Administration of the Soil Conservation Act & Regulations

In addition to the *Agricultural Land Commission Act*, the Commission is responsible for the administration of the *Soil Conservation Act* and Regulations. This Act is an important companion statute to the *Agricultural Land Commission Act*. It ensures that any soil removal or deposition of fill on lands within an ALR is done in accordance with sound agricultural practices.

Applications are required for the removal of soil or placement of fill and if the proposal reduces or eliminates the agricultural potential of the property, the application is refused.

The Act is administered and enforced jointly by the Commission and local authorities. Additional technical and enforcement assistance is available from the Soils Branch of the Ministry of Agriculture and Fisheries.

1988 - 1989 Issues

Statistical Overview of Application Activity

The total number of applications received during the 1988/89 reporting period was 1,027. This shows a slight increase from the number received for the same period in 1987/88.

By far the largest percentage (58%) of all applications received were made under Section 20(1) of the *Agricultural Land Commission Act*. These are applications for subdivision or non-farm use of lands while retaining them within the ALR. During this year, 150 applications for exclusion of property from the ALR were received, or approximately 15% of the total applications received during the 1988/89 period.

In June of 1988 Cabinet passed Order-in-Council #1141 which established golf courses as an outright use within the ALR. While the Commission does not have the authority to refuse a golf course from locating on ALR lands, B.C. Regulation 7/81 allows the Commission to establish terms and conditions it feels are necessary to minimize any long term negative effects that the proposal may have on the subject and surrounding agricultural lands. For this reason, all golf course proposals involving ALR lands are forwarded to the Commission for review.

Comprehensive statistical information pertaining to all applications considered by the Commission is available in a Commission publication titled *"Agricultural Land Reserve Statistics—January 1, 1989"*.

Review of the Administration of the Agricultural Land Commission Act within the Development Regions

On 7 October 1987 the Premier announced the appointment of a Minister of State for each of the eight recently established Development Regions. Each Minister of State was asked to evalulate the administration of the *Agricultural Land Commission Act* within his/her region to determine whether or not the procedures seemed appropriate for the particular region.

While the method of review varied somewhat for each region, they all tended to involve the participation and input of the public as well as input from local government members. A report outlining recommended changes to the administration of the *Agricultural Land Commission Act* was prepared as the outcome of each study.

By the end of the 1988/89 operating year, the Peace River Region, the North Coast Region, the Cariboo Region, the Kootenay Region, and the Vancouver Island Region had concluded their reviews. While it cannot be stated that the

recommendations outlined within each report are in complete agreement, several general trends are evident. All five reports support the concept of agricultural land preservation in British Columbia. None of these reports recommended dismantling of the Commission structure. Virtually all reports recommended methods of improving the level of contact between the Commission and the local level either by increasing the amount of local input into the decision making process or by providing additional funds so that the Commission can spend more time in the local areas.

Fine Tuning

The enhanced Fine Tuning Program was discontinued during the 1987/88 year with both the Deep Bay-Oyster River project in the Regional District of Comox Strathcona and the Alberni Valley project in the Regional District of Alberni Clayoquot unfinished. However, with the aid of auxiliary staff in 1988/89, the proposals were finalized and recommendations for ALR boundary amendments in each study area were forwarded for Cabinet consideration. In the Deep Bay-Oyster River review 768 hectares of land were recommended for inclusion into the ALR, 1,235 hectares of land were proposed for exclusion. The Alberni Valley project proposed 790 hectares of land for ALR inclusion and 951 hectares of land for exclusion from the ALR. It is anticipated that the projects will receive Cabinet consideration and will be completed within the near future.

Financial Assistance for Urban Infrastructure for Lands outside the ALR

With the majority of British Columbia local government entities containing at least some agricultural land within their boundaries, the process of continual outward urban expansion frequently leads to development pressures on ALR land. Many communities continue to direct new urban growth toward agricultural lands even though other suitable non-ALR lands are available relatively close by. Frequently, the development of non-ALR land options are not pursued because of the higher infrastructure costs. To divert new growth away from traditional development lands into new development areas often requires "leap-frogging" across Agricultural Land Reserve lands into non-ALR upland areas. Not only are costs associated with the extension of services through the ALR lands but also the costs of providing services to hillside areas is generally substantially higher.

The Commission submitted a brief to the Union of British Columbia Municipalities on the subject. The brief recommends that financial assistance be provided to local governments from senior government sources. Such assistance would aid in the establishment of service infrastructure into non-ALR areas. As a result, future urban growth would be directed away from the agricultural land base.

It is hoped that with the support of the U.B.C.M. membership the Commission will be successful in its request for senior government funding for directing service infrastructure into non-ALR areas.

Commission Meetings

In addition to holding regular monthly meetings in Burnaby, the Commission travelled extensively and met with numerous local government representatives. During the 1988/89 year the Commission met with representatives from the District of Saanich, District of Central Saanich, District of North Saanich, District of Surrey, Regional District of Central Okanagan, District of Summerland, District of Salmon Arm, Regional District of Kootenay Boundary, City of Kelowna, Regional District of Cowichan Valley and the District of Mission.

These field trips have strengthened the Commission's working relationship with these jurisdictions and have provided information on some of the issues with which these governments are confronted in their dealings with the *Agricultural Land Commission Act*. Travelling into the various regions also provides the Commission with an opportunity to view ALR lands first hand which is of great benefit in the application review process.

During September 1988 the Commission also attended the Union of B.C. Municipalities convention which was held in Whistler. The Commission maintained a meeting room throughout the convention where members of local government could discuss ALR issues with the Commission.

During the year the Commission met with the

British Columbia Fruit Growers' Association Executive to discuss agricultural issues. The Commission also had representation at the Annual B.C.F.G.A. convention held in January. Representatives from the Kootenay and the Cariboo Development Regions also met with the Commission.

City of Kelowna Block Application

In 1988 the Commission referred to Cabinet a block application proposing the exclusion of 233.5 hectares of land from the ALR to accommodate future urban development, as well as the use of 22.3 hectares within the ALR for recreational purposes. The Commission recommended in favour of this application partially in recognition of the need to provide long term growth options for the City of Kelowna. With the exclusion from the ALR of the Glenmore Valley component of this application along with the adjacent non-ALR lands it was felt that a 10 to 20 year supply of development lands would be available to the City. The Commission believes that with this supply of development land available and with the commitment of the City of Kelowna in directing future growth to these identified areas that the development pressure on better ALR lands in the City will be reduced.

Agricultural Protection Act

The *Agricultural Protection Act* is British Columbia's proposed legislative response to assist in limiting farmers' liability in potential farm management nuisance situations. For the past several years the Ministry of Agriculture and Fisheries Green Zone Committee, on which the Commission actively participates, has assisted the B.C. Federation of Agriculture in creating a vehicle to reduce land use conflict in agricultural areas.

The intent of the proposed legislation is to protect farmers engaged in legitimate farm management situations from undue complaints while at the same time ensuring proper farming practice by those involved in agriculture. The Commission welcomes the concept of agricultural protection legislation as it has too often witnessed situations where farmers have been unduly restricted in their activities by nearby residents. Manure spreading, spraying, and operation of equipment in early morning hours are some farming activities which may irritate or anger those nearby residents who are not involved in agriculture. However, at the same time, the Act provides assurances that a particular farm is operating within accepted management guidelines and is not creating undue nuisance.

The legislation will hopefully complement the intent of the *Agricultural Land Commission Act* by ensuring that individuals intent on pursuing agriculture have the right to do so. By reducing potential conflict situations, the Act will serve to strengthen the Agricultural Land Reserve, especially at the urban/rural interface.

Financial Report–Year Ended 31 March 1989

Statement of Revenue

Income received and credited to the consolidated revenue fund of the Province of British Columbia was as follows (Note 5):

	1988/89	1987/88
Sale of Properties	$ .00	$96,616.00
Property Management Program		
Rental Income	.00	448,872.00
Interest Income	.00	37,914.00
Other Income	.00	50,378.00
	.00	633,780.00
Accrued Income Adjustment	.00	<27,259.>
Total Income, Accrual Basis	$ .00	$606,521.00

Statement of Expenditure

Description	1988/89	1987/88
Salaries and Benefits	$686,811.00	$702,032.00
Fees and Allowances	107,683.00	95,020.00
Professional Services	18,512.00	43,362.00
Travel	24,915.00	27,020.00
Communications	11,548.00	22,269.00
Office	9,465.00	6,582.00
Furniture and Equipment	-	5,527.00
Materials and Supplies	13,039.00	6,228.00
Rent	230,302.00	207,533.00
Computer Equipment	371.00	427.00
Other	7.00	8.00
	$1,102,653.00	$1,116,008.00

Approved by the Commission:

I.D. Paton, Chairman

R.P. Murdoch, General Manager

Notes to Financial Report

1. Assets—Land, Buildings and Loans Receivable—Note 5

	1988/89	1987/88
Land Value	$ .00	$28,827,562.00
Building Values	.00	
– Government Owned	.00	1,403,560.00
– Lessee Owned	.00	2,610,926.00
Improvement Loan Receivable	.00	698,445.00
	.00	$33,540,493.00

2. Contingent Liabilities

Land Improvements	$ .00	$ 217,432.00
Buildings	$ .00	2,610,626.00
	$ .00	$ 2,828,358.00

3. Accrued Receivables

Accrued Rent	$ .00	$ 46,744.00
Accrued Taxes	.00	.00
Accrued Interest	.00	172.00
	$ .00	$ 46,916.00

4. Soil Conservation Act Deposits

Cash on Deposit	$ 10,000.00	$ 5,000.00

In addition to the foregoing cash deposits, the Commission holds letters of credit and other securities totalling $412,500.00 under the Soil Conservation Act guaranteeing restoration of properties in accordance with sound agricultural practices.

5. As of 1 April 1988 all farmlands, except 1 parcel, administered in co-operation with the Farmland Resources Branch of the Ministry of Agriculture and Fisheries were transferred to the Ministry of Crown Lands. Consequently there is no revenue from the sale or lease of farmlands in the current fiscal year. The sale of the one parcel, which was in the process of disposition, was completed in fiscal year 1989/90 and will be reported as a sale in the next fiscal year.

Commission Membership

Effective administration of the Agricultural Land Commission Act requires a Commission membership comprising individuals with varying agricultural and administrative backgrounds. The Commissioners are appointed by the Lieutenant-Governor in Council upon the recommendation of the Minister of Agriculture and Fisheries; the Lieutenant-Governor in Council also desginates one member as Chairman.

Ian Paton, Chairman, (Delta)

President of I.D. Paton and Associates Limited; Director of Paton Holsteins Limited; Member of the Agricultural Advisory Committee of the Pacific National Exhibition; Former President of the B.C. Institute of Agrologists

Harold Allison, (Princeton)

Rancher; Past President of the B.C. Federation of Agriculture; Active in other Agricultural Organizations

Allan Claridge, (Oyama)

Orchardist; Former President of the B.C. Fruit Growers' Association; Former Chairman of the Canadian Horticultural Council

Jim Collins, (Fort St. John)

Grain, Forage Seed and Beef Farmer; Inter Ag Group Consulting; Executive Director of the B.C. Federation of Agriculture; Farm Credit Corporation Appeal Board Member; Director of B.C. Grain Producers Association

John Malenstyn, (Delta)

Dairy and Crops Operation; Director of the Mainland Dairyman's Association; President of the Independent Dairyman's Association

Bob Murdoch, (Burnaby)

General Manager of the Agricultural Land Commission; Former Regional Director for the Ministry of Lands, Parks and Housing; Former Manager of the University Endowment Lands

Support Staff

Robert P. Murdoch, General Manager

Administrative Support Staff

M. Jean Sherwood, Executive Secretary
Alison Balzar
Patricia Redman
Lucena Varias

Planning Processing and Technical Branch

Jim P. Plotnikoff, Director

Planning Branch

Mark Gillis, Planner
Barry E. Smith, Planner

Research and Processing Branch

Shirley Brightman
Raymond Candy
Brenda Felker
Colin Fry
Everett Lew
Barbara Snyder
Brian Underhill

Mapping Branch

Gordon Bednard
Mike Tippet (Aux)

Soils and Property Management Branch

Kirk B. Miller, Director
Brian McBride, Soils Specialist